

N. KEITH CHAMBERS
EXECUTIVE DIRECTOR

IN THE MATTER OF:

Complainant,

Respondent.

ALS No.: 09-0511

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4. On July 19, 2010, Complainant and Respondent failed to appear for the public hearing at the scheduled time of 10:00 a.m. Complainant's attorney was timely, but he gave no reason for Complainant's absence. The hearing remained open until 10:34 a.m.

CONCLUSIONS OF LAW

Complainant's failure to appear for the public hearing on July 19, 2010, prevented the Commission from determining an award of damages on her behalf.

DISCUSSION

Complainant failed to appear for the public hearing scheduled to determine what, if any, damages should be awarded to her. This failure to appear precluded the Commission from making any award determination on her behalf. Reynolds and Hardee's, et al., IHRC, S-11770, December 12, 2002.

RECOMMENDATION

Based on the foregoing, it is recommended that an order be entered with the following provisions:

1. Respondent, as a result of default order, be found to have discriminated against Complainant on the basis of race, age, sex, handicap and retaliation.
2. Based on Complainant's failure to appear for a public hearing on damages, it is recommended that there be no award of damages to Complainant.

HUMAN RIGHTS COMMISSION

BY: _____
WILLIAM J. BORAH
ADMINISTRATIVE LAW JUDGE
ADMINISTRATIVE LAW SECTION

ENTERED: July 20, 2010